

Introduced by Senator Hollingsworth

February 23, 2007

An act relating to governmental reorganization.

LEGISLATIVE COUNSEL'S DIGEST

SB 806, as introduced, Hollingsworth. Governmental reorganization: fire agencies: San Diego County.

Existing law provides for the reorganization of fire protection districts pursuant to the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000.

This bill would provide for the consolidation of districts into the consolidated regional fire agency or entity in San Diego County, to be funded commencing July 1, 2008, by an allocation by the auditor of the County of San Diego of an amount equal to 1% of the countywide ad valorem property tax revenue.

Because this bill would require local agencies to perform additional duties, this bill would impose a state-mandated local program.

This bill would change the pro rata shares in which ad valorem property tax revenues are allocated among local agencies in a county, within the meaning of paragraph (3) of subdivision (a) of Section 25.5 of Article XIII of the California Constitution, and thus would require for passage the approval of $\frac{2}{3}$ of the membership of each house of the Legislature.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Vote: $\frac{2}{3}$. Appropriation: no. Fiscal committee: yes.
State-mandated local program: yes.

The people of the State of California do enact as follows:

- 1 SECTION 1. (a) Pursuant to Section 13812 of the Health and
- 2 Safety Code and the Cortese-Knox-Hertzberg Local Government
- 3 Reorganization Act of 2000 (Division 3 (commencing with Section
- 4 56000) of Title 5 of the Government Code), a new consolidated
- 5 regional fire agency or entity shall be created in San Diego County
- 6 by merger or reorganization of the agencies listed in subdivisions
- 7 (b) and (c). Allocation of the fire protection agency payment
- 8 amount, as defined in Section 2 of this act, to the newly formed
- 9 consolidated regional fire agency or entity in San Diego County
- 10 is conditioned upon the successful merger or reorganization of at
- 11 least 20 of these agencies.
- 12 (b) "Phase one" agencies shall include all of the following
- 13 entities:
- 14 (1) Borrego Springs Fire Protection District.
- 15 (2) Deer Springs Fire Protection District.
- 16 (3) East County Fire Protection District.
- 17 (4) Julian-Cuyamaca Fire Protection District.
- 18 (5) Pine Valley Fire Protection District.
- 19 (6) San Diego Rural Fire Protection District.
- 20 (7) Valley Center Fire Protection District.
- 21 (8) California Service Area 107 (Elfin Forest).
- 22 (9) California Service Area 109 (Mount Laguna).
- 23 (10) California Service Area 110 (Palomar Mountain).
- 24 (11) California Service Area 111 (Boulevard).
- 25 (12) California Service Area 112 (Campo).
- 26 (13) California Service Area 113 (San Pasqual)
- 27 (14) Mootamai Municipal Water District.
- 28 (15) Pauma Municipal Water District.
- 29 (16) Ramona Municipal Water District.
- 30 (17) Yuima Municipal Water District.
- 31 (18) Sunshine Summit Volunteer Fire Department.
- 32 (19) Ranchita Volunteer Fire Department.
- 33 (20) Warner Springs Volunteer Fire Department.
- 34 (21) Ocotillo Wells Volunteer Fire Department.
- 35 (22) Intermountain Volunteer Fire Department.

1 (23) Deluz Volunteer Fire Department.

2 (24) Shelter Valley Volunteer Fire Department.

3 (c) “Phase two” agencies shall include all of the following
4 entities:

5 (1) Alpine Fire Protection District.

6 (2) Bonita-Sunnyside Fire Protection District.

7 (3) Lakeside Fire Protection District.

8 (4) Lower Sweetwater Fire Protection District.

9 (5) North County Fire Protection District.

10 (6) Rancho Santa Fe Fire Protection District.

11 (7) San Miguel Consolidated Fire Protection District.

12 (8) California Service Area 115.

13 (d) Notwithstanding any other contrary provision of law, a
14 volunteer fire department described in subdivision (b) may
15 participate in a reorganization or merger related to the consolidated
16 regional fire agency or entity in San Diego County in order to
17 satisfy the requirements of this section.

18 SEC. 2. (a) Notwithstanding any other contrary provision of
19 law, for the 2008–09 fiscal year and for each fiscal year thereafter,
20 the auditor of the County of San Diego shall do both of the
21 following:

22 (1) Decrease the total amount of ad valorem property tax revenue
23 allocated to each qualified school district in the county by the fire
24 protection agency payment amount.

25 (2) Allocate the countywide fire protection agency payment
26 amount to the consolidated regional fire agency or entity in San
27 Diego County.

28 (b) For purposes of this section, the following terms have the
29 following meanings:

30 (1) “Consolidated regional fire agency or entity in San Diego
31 County” means the agency or entity created in accordance with
32 the requirements of this act through the merger or reorganization
33 of at least 20 of the agencies listed in subdivisions (b) and (c) of
34 Section 1, which include fire protection districts, water districts,
35 service areas, and volunteer fire departments.

36 (2) “Countywide fire protection agency payment amount” means
37 the total sum of the amounts described in paragraph (2) from all
38 qualified school districts in the County of San Diego, as permitted
39 by law.

1 (3) “Fire protection agency payment amount” means an amount
2 equal to 1 percent of the countywide ad valorem property tax
3 revenue.

4 (4) “Qualified school district” means a school district that is not
5 a community college district or an excess tax school entity, as
6 defined in subdivision (n) of Section 95 of the Revenue and
7 Taxation Code.

8 (c) Each reduction resulting from the implementation of
9 paragraph (1) of subdivision (a) in the amount of property tax
10 revenue that is allocated to a qualified school district in San Diego
11 County shall be reimbursed by the state pursuant to Section 42238
12 of the Education Code, or any successor to those provisions.

13 SEC. 3. No reimbursement is required by this act pursuant to
14 Section 6 of Article XIII B of the California Constitution because
15 this act provides for offsetting savings to local agencies or school
16 districts that result in no net costs to the local agencies or school
17 districts, within the meaning of Section 17556 of the Government
18 Code.